

KARLANS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

BIOVAIL CORPORATION,
EUGENE N. MELNYK,
BRIAN CROMBIE,
JOHN MISZUK, and
KENNETH G. HOWLING

Defendants.

x

: No. 08 CIV 02979 (LAK)(GWG)

: ECF Case

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x

**STIPULATION AND ORDER GOVERNING
BRIEFING SCHEDULE FOR MOTIONS TO DISMISS**

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ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>7/7/08</u>

IT IS HEREBY STIPULATED AND AGREED, by and among the parties to the above-captioned action presently pending before the Hon. Lewis A. Kaplan in the United States District Court for the Southern District of New York (the "Action"), through their counsel, that the following briefing schedule will govern with respect to the motions to dismiss filed on June 23, 2008 by Defendants Brian Crombie, John Miszuk, and Kenneth G. Howling:

1. Plaintiff Securities and Exchange Commission will file its opposition briefs to the Motions to Dismiss by no later than July 31, 2008.
2. Defendants will file reply briefs by no later than August 22, 2008.
3. This Stipulation may be executed in counterparts.

Date: July 3, 2008
New York, New York

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SO ORDERED:

Honorable Lewis A. Kaplan
United States District Judge

Dated: _____

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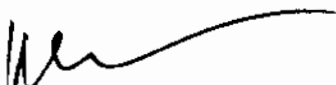
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